

Oversight

1 November 1978

STAT

MEMORANDUM FOR: SA/DCI

FROM: Director of Central Intelligence

SUBJECT: Speech Guidelines

I think it would be a good idea if for the next serious speech we try to expand on the theme of accountability and its value. I say this as much because I think I want to work out my own thinking of what those values are as anything.

We don't want to get hamstrung by too much regulation.

We don't want to go back to unsupervised, unregulated, unaccountable use of the privileges of secrecy in very delicate measures.

-- There were mistakes.

-- The risks were not well measured against the benefits in a lot of instances, probably because there was rather little accountability.

-- There clearly was a lack of internal control of the Agency and the Director can use accountability as a club in helping himself establish controls.

Striking the right balance is what we must develop. The problems in this are:

(1) Congressional accountability has several problems with respect to leaks:

(a) The general ethic on the Hill is to be open and communicative with constituents. In fact, one of the responsibilities of being a Member of Congress is to keep one's constituents informed.

(b) Therefore, there is less engrained precaution with respect to secrecy on the Hill. Some notable exceptions in the Armed Services Committee, etc.

(c) There is also the problem of domestic partisan politics on the Hill. Clearly, we have to acknowledge the fact that there are temptations to take advantage of classified information for partisan advantage.

(d) There is also a difference of attitude from a legislative perspective rather than executive perspective. Members of Congress do not exercise decision authority. They vote. They are not part of the decision process in the Executive Branch. Therefore, when confronted with a program they really disagree with, they may be tempted to scotch it by leaking since they haven't the access necessary to try to scotch it by debate within the Executive Branch--by defeating a poor policy formulation.

All of the above amount to the problems of leaks with the Congress.

(2) There is also the problem of temptation to over-manage rather than oversee. This exists in any oversight mechanism.

The problems noted above of lack of Executive directive authority in the Legislative Branch sometimes magnify it there, both because many Congressmen do not understand the distinction and because there is a frustration in not being able to manage rather than just vote.

(3) It will take patient development of procedures with the Congress.

-- It will take a good set of charters.

-- It will take some firm insistence on the part of the Executive with respect to what can be released, how much we will kowtow to overmanagement.

-- It will take understanding on the part of the committees of Congress who have a genuine problem in having shouldered a responsibility for oversight.

‘ This means their colleagues expect them to be well informed.

‘ It means they can well feel that they need all information in order to carry out that responsibility.

STANSFIELD TURNER